

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

SUFFOLK REGIONAL OFF-TRACK BETTING
CORPORATION,

Adjusted Debtor.

SUFFOLK REGIONAL OFF-TRACK
BETTING CORPORATION,

Plaintiff,

v.

DELAWARE NORTH COMPANIES, INC.,
DELAWARE NORTH COMPANIES
GAMING & ENTERTAINMENT, INC., DNC
GAMING MANAGEMENT IN SUFFOLK
LLC, and DELAWARE NORTH ISLANDIA
PROPERTIES, LLC,

Defendants.

Chapter 9

Case No. 12-43503-CEC

A.P. No. 19-01133-CEC

**DECLARATION OF DAVID G. HILLE IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

I, David G. Hille, hereby declare under penalty of perjury that, to the best of my knowledge and belief, and after reasonable inquiry, the following is true and correct:

1. I am a partner at White & Case LLP ("W&C"), counsel for Defendants Delaware North Companies, Inc., Delaware North Companies Gaming & Entertainment, Inc., DNC Gaming Management In Suffolk LLC, and Delaware North Islandia Properties, LLC (collectively, "Defendants"). I submit this declaration in support of Defendants' Motion to Dismiss the Complaint of Plaintiff Suffolk Regional Off-Track Betting Corporation ("Suffolk OTB").

2. Attached hereto as Exhibit 1 is a true and correct copy of the Amended and Restated Development and Management Services Agreement among Suffolk OTB, DNC Gaming Management In Suffolk, LLC, and Delaware North Companies Gaming & Entertainment, Inc., dated May 24, 2016, and the exhibits thereto.

Executed: November 7, 2019
New York, New York

/s/ David G. Hille

David G. Hille